



## DEPARTMENT OF THE NAVY

OFFICE OF THE CHIEF OF NAVAL OPERATIONS

2000 NAVY PENTAGON

WASHINGTON, DC 20350-2000

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Ser DNS-36SF/15U105190

February 18, 2015

Ms. Justice Kali  
110 Georgia St.  
Groton, CT 06340

Dear Ms. Kali:

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF  
MS. JUSTICE KALI  
FOIA TRACKING NUMBER DON-NAVY-2015-001341

Thank you for your Freedom of Information Act (FOIA) request dated November 23, 2014 and received in our office on November 23, 2014 and assigned case number DON-NAVY-2015-001341.

Through direct coordination with the Sexual Assault Prevention and Response Office (OPNAV N172) on December 17, 2014, you requested raw uninvestigated information about all Unrestricted Reports of sexual assault allegations received during each CY/FY 2002 - 2007. Additionally, you requested information about sexual assault allegations received during each calendar year/fiscal year (CY/FY) 2002 - 2013 from Unrestricted Reports made by service members for incidents occurring prior to his/her military service (commission or enlistment).

While you originally requested sexual assault related data from the Navy from 2002- 2013, this data was not maintained by the DoD or any of the services prior to CY 2004.

An attempt to locate records responsive to your request for demographic data for service members who filed Unrestricted Reports of sexual assault between 2002 and 2007 revealed that the Navy does not maintain demographic data of service members who file Unrestricted Reports of sexual assault, with the exception to gender. The Annual report to Congress includes demographic data for service members in closed investigations only. However, we are able to provide enclosure (1) which details the gender for service members who filed Unrestricted Reports of sexual assault between FY08 - FY13.

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An attempt to locate records responsive to your request revealed the Navy does not maintain specific demographics on service members victims making a report for incidents that occurred prior to their military service. Only the total number of these victims is reported/ maintained. However, the total number of military victims who filed reports between FY08 - FY13 for incidents that occurred prior to their military service is provided below based on type of report (Unrestricted or Restricted) and in enclosure (2):

<u>Fiscal Year</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Unrestricted Reports	0	109	0	0	9	20
Restricted Reports	0	23	0	0	6	12
Totals	0	132	0	0	15	32

Information for FY09 above may include the number of service referrals (e.g., medical, counseling, legal) made to victims versus the actual number of victims who filed the reports.

*The Annual Reports to Congress on Sexual Assault in the Military* includes demographic data for service members in closed investigations only. These reports are available publicly, viewable at [www.sapr.mil](http://www.sapr.mil).

Because your request is partially denied, you are advised of your right to appeal the denial of your request by writing to:

Office of the Judge Advocate General  
1322 Patterson Ave, SE, Ste 3000  
Washington Navy Yard, DC 20374-5066

Your appeal must be postmarked within sixty calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this decision to be in error.

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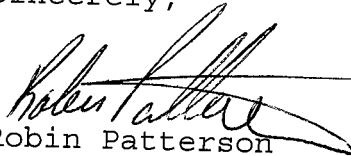
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Additionally, the 2007 FOIA amendments directed the Chief FOIA Officer of each agency to designate one or more FOIA Public Liaisons. Please be advised that the DON FOIA Public Liaison is available to assist in disputes between the requester and the agency. The role of the Liaison is to provide FOIA requesters with an avenue to raise concerns about the service received from a Navy Requester Service Center. You may write to the DON FOIA Public Liaison at Department of the Navy Chief Information Office (DON CIO), 1000 Navy Pentagon, Washington, DC 20350-1000. Alternately, you may contact the DON FOIA Public Liaison via telephone at (703) 695-1297, via fax at (703) 614-4388, or via email at [DONFOIAPublicLiaison@navy.mil](mailto:DONFOIAPublicLiaison@navy.mil).

In this instance, the fees associated with the processing of this request were below the minimum threshold and have not been assessed. Please be advised, however, that fees, fee categories, and fee waivers are determined on a case-by-case basis, and a previous determination has no influence on future determinations.

Questions regarding the action this office has taken upon receipt of your request may be directed to our FOIA service center at (202) 685-0412.

Sincerely,



Robin Patterson

Head, DON FOIA/PA Program Office

Enclosures: 1. Demographic Sexual Assault Data